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SEP 01 2006 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): GOLDENBERG et al.	Examiner:
Appln. No.: 10/672,278	Group Art Unit: 1645
Filing Date: September 29, 2003	
Title: CHIMERIC, HUMAN AND HUMANIZED ANTI- GRANULOCYTE ANTIBODIES AND METHODS OF USE	Docket No. 329849

Mail Stop Office of Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO DECISION REFUSING STATUS UNDER 37 CFR 1.47(a)

This paper is filed in response to the Decision Refusing Status under 37 CFR 1.47(a) mailed on August 15, 2006, for which a response is due by October 15, 2006. Therefore, this Response is timely filed and it is believed that no fees are due. Should any additional fees be due, the Commissioner is authorized to charge any deficiencies, and credit any overpayments, to Deposit Account No. 06-0029.

The Decision Refusing Status under 37 CFR 1.47(a) states that the petition lacks item (2), the declaration filed with the renewed petition on 11 May, 2005 is defective. Wherein, the Declaration apparently was missing the last four (4) pages of inventor Goldenberg. We are therefore enclosing the complete Declaration with all eight (8) pages with a copy of the Response which was submitted on 11 May 2005.


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Page 2

Conclusion

Please reconsider the renewed petition under 37 CFR 1.47(a) filed on 11 May, 2005.

Respectfully submitted,

Dated: September 1, 2006



Richard A. Nakashima
Reg. No. 42,023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: David M. GOLDENBERG et al.

Confirmation No.: 8186

SEP 01 2006

Appl. No.: 10/672,278

Examiner: Unassigned

Filing Date: September 29, 2003

Art Unit: 1645

Title: CHIMERIC, HUMAN AND HUMANIZED ANTI-GRANULOCYTE
ANTIBODIES AND METHODS OF USE**RESPONSE TO DECISION ACCORDING STATUS UNDER 37 CFR 1.47(a)**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Response to the Decision According Status Under 1.47(a) mailed March 15, 2005, for the above-captioned application. Applicants believe that no fee is due in association with the filing of this Response. However, the Commissioner is authorized to charge any fees that may be due for filing this Response to Deposit Account No. 08-1641.

In accordance with the Examiner's Decision, the Examiner stated Applicants may receive a grantable petition under 37 CFR 1.47(a) if Applicants provide an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116. Applicants submit herewith the required Declaration and Power of Attorney.

Heller Ehrman LLP
Attorney Docket No. 40923-0134US1

U.S. Serial No. 10/672,278
INVENTOR: GOLDENBERG et al.

REMARKS

Applicants hereby request that their Petition under 37 CFR 1.47(a) be granted.

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Date: May 11, 2005

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Respectfully submitted,



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